



03C-010 (1/4)

BY OVERNIGHT COURIER
November 5, 2003

Kathleen DeMeter
Director, Office of Defects Investigation
National Highway Traffic Safety Administration
400 Seventh Street, S.W.
Washington, D.C. 20590

RE: Part 573 Report
Dorel Juvenile Group

Dear Ms. DeMeter:

On behalf of Dorel Juvenile Group (DJG), I am enclosing a Defect Information Report providing information regarding a safety-related defect determined to exist in certain automobile child restraints manufactured by DJG. A few days ago, DJG discovered that a label installed on the side of these child restraints contained a typographical misprint. The label correctly advises the minimum height and weight recommendations for the forward-facing position, but it recommends using the restraint in the forward facing position for children exceeding those minimum height and weight recommendations and who are under one year of age. The label should have advised use in the forward facing position for children who are *over* one year of age. As age recommendations are not required by FMVSS No. 213, this misprint does not introduce a noncompliance issue; however, DJG considers this misprint to be a "defect" and has promptly made this determination and notification to your office.

DJG has carefully considered the safety consequence of this misprint, analyzing the issue in the same manner as NHTSA uses to analyze the inconsequentiality of a misprint in a required label. In evaluating such petitions, NHTSA considers the effect on safety if a consumer were actually to follow the erroneous instructions. NHTSA also considers the availability of other, correct information on the product that would tend to diminish the safety consequence of the wrong information. See, e.g., Grant of Petition for Inconsequential Noncompliance, Cooper Tire, 68 Fed. Reg. 62496 (November 4, 2003). Applying these considerations, DJG has concluded that the misprinted label constitutes a defect related to motor vehicle safety in the following models: 22-297-WAL, 22-298-STM, 22-299-NAN and 93-299-FSM. DJG based this conclusion primarily on a judgment that these models may not adequately restrain a child under one



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year of age that otherwise meets the height and weight recommendations. DJG reached this conclusion notwithstanding the fact that there are numerous other labels and instructional materials on most of these models that contain the correct recommendation.

DJG has also concluded that certain other child restraint models containing the misprinted label do not have a safety-related defect, because the internal five-point restraint and overhead shield harness systems in these other models are considered adequate to restrain a child meeting the criteria on the misprinted label. For this reason, DJG does not plan to include these products in the recall addressing the models identified above and in the enclosed Defect Information Report.

Please let me know if you have any questions regarding this campaign.

Sincerely,

A handwritten signature in dark ink, appearing to read "Mark A. Evanko".

Mark A. Evanko

EVP Quality Assurance and Product Safety



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2525 State Street Columbus, Indiana 47201-7494 Telephone: 812-372-0141 Fax: 812-372-0911



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DEFECT INFORMATION REPORT

11/05/2003

1. **Manufacturer's name/address:** Dorel Juvenile Group, 2525 State Street, Columbus IN, 47201
2. **Equipment involved in this defect notification:** Certain labels applied to High Rise child restraints manufactured on or after October 1, 2003 and before October 31, 2003.
3. **Total number of items of equipment:** Limited quantities identified and estimated as follows.

High Rise Model Numbers:

22-297-WAL

22-298-STM

22-299-NAN

93-299-FSM

Total 27,800

4. **Approximate percentage of equipment estimated to actually contain the defect:** DJG does not know how many of the units identified in item 3 actually contain the misprinted label. DJG will offer a replacement label for 100% of the products built between October 1, 2003 and October 31, 2003.
5. **Description of the defect:** DJG voluntarily decided to include an age recommendation along with the required height and weight recommendation on its child restraint labels. DJG intended to recommend that the forward-facing mode should be used for children "over 1 year of age." Due to an inadvertent miscommunication at the label printer, one label of the above models was misprinted to recommend use for children "under 1 year of age" in the forward facing modes of use.
6. **Chronological summary of events leading to this determination:** When transitioning to new labels that are compliant with the new labeling rules that took effect on October 01, 2003, a miscommunication occurred in the graphical and printing process, which went initially undetected on a certain number of Child Restraint Systems. DJG determined that the typographical misprint does not cause the labels to violate the new provisions of FMVSS No. 213, because the standard does not require an age recommendation. DJG considers this misprint to be a "defect" and has promptly made this determination and notification to your office.



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DOREL
juvenile group

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7. **Description of proposed remedy:** DJG will send consumers a corrected label.
8. **Program for remedy campaign:** DJG will send a corrected label automatically to each consumer who returns a registration card for one of the affected products, or who calls the DJG consumer hotline with any question about the label. DJG will begin mailing these corrected labels before the end of November, 2003. Pursuant to Section 573.6(c)(8)(i), DJG states that no reimbursement plan is necessary for this campaign, because no owner would have incurred out-of-pocket costs to obtain a revised label.

Respectfully Submitted



Mark A. Evankó

EVP Quality Assurance and Product Safety



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